IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5495 of 2005

Between:

P. Sham Prasad S/o. Narsimha Ramaiah
R/o. Parkal Village & Mandal, Warangal District.

..... PETITIONER

AND

The Gram Panchayat Parkala, Parkala Village & Mandal, Warangal District.

Rep. by its Panchayat Secretary.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings/notice Rc.No. 29/GPP/2005 of the respondent herein dt.
11-3-2005 as arbitrary, illegal, without jurisdiction and violation of principles of natural justice.

Counsel for the Petitioner:MR.V.TULASI REDDY

Counsel for the Respondent No.: SMT.JYOTHI ESWAR GOGINENI

The Court made the following :

O R D E R:

This writ petition is filed aggrieved by the order passed by the respondent dated 11-03-2005 whereunder the license granted in favour of the petitioner for running Chiken Centre was cancelled. Against the said order passed under sub-Section (3) of Section 105 of the A.P. Panchayat Raj Act, 1994 (for short 'the Act'), an alternative remedy of appeal is provided under sub-Section (3) of Section 105 of the Act. Without exhausting the said remedy, the petitioner cannot maintain this writ petition.

Accordingly, the Writ Petition is disposed of granting leave and liberty to the petitioner to work out the alterative remedy provided under the Act. No costs.

However, having regard to the facts and circumstance of the case, there shall be a direction to the respondent to maintain status-quo obtaining as on today for a period of two weeks from today.

(G.ROHINI, J.)

Dated 17th March, 2005

Note: Issue CC today.

B/O

mrb

To

1. The Panchayat Secretary.

The Gram Panchayat Parkala, Parkala Village & Mandal,

Warangal District.

2. Two CD copies.